

109TH CONGRESS  
1ST SESSION

# S. 1843

To establish a strong Federal officer appointed by the President focused exclusively on the official and effective use of Federal resources in southeast Louisiana for Hurricane Katrina recovery, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2005

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To establish a strong Federal officer appointed by the President focused exclusively on the official and effective use of Federal resources in southeast Louisiana for Hurricane Katrina recovery, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Louisiana Katrina Re-  
5       covery Act of 2005”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Louisiana Katrina Recovery Ad-  
3           ministrator.

4           (2) AGENCY.—The term “agency” has the  
5           meaning given under section 551(1) of title 5,  
6           United States Code.

7           (3) OFFICE.—The term “Office” means the Of-  
8           fice of the Louisiana Katrina Recovery Adminis-  
9           trator.

10          (4) RECOVERY.—The term “recovery” includes  
11          relief, rebuilding, and reconstruction.

12 **SEC. 3. ESTABLISHMENT.**

13          (a) ESTABLISHMENT.—There is established within  
14          the Executive Office of the President, the Office of the  
15          Louisiana Katrina Recovery Administrator.

16          (b) ADMINISTRATOR.—

17               (1) APPOINTMENT.—The Louisiana Katrina  
18               Recovery Administrator shall be the head of the Of-  
19               fice. Not later than 30 days after the date of enact-  
20               ment of this Act, the President shall appoint the Ad-  
21               ministrator.

22               (2) QUALIFICATIONS.—The individual ap-  
23               pointed as Administrator—

24                       (A) shall be a United States citizen at  
25                       least 30 years of age; and

1 (B) shall be appointed on the basis of—

2 (i) extensive business and manage-  
3 ment experience;

4 (ii) demonstrated political independ-  
5 ence and integrity; and

6 (iii) independence from financial inter-  
7 ests associated with recovery from Hurri-  
8 cane Katrina in Louisiana.

9 **SEC. 4. AUTHORITIES AND FUNCTIONS.**

10 (a) IN GENERAL.—The Administrator shall—

11 (1) provide leadership in—

12 (A) developing a plan for the recovery of  
13 areas in Louisiana adversely impacted by Hur-  
14 ricane Katrina; and

15 (B) ensuring accountability and trans-  
16 parency of recovery efforts;

17 (2) have management and oversight authority  
18 of all agencies in all Federal activities and the use  
19 of Federal resources relating to the recovery from  
20 Hurricane Katrina in Louisiana;

21 (3) ensure the activities and resources referred  
22 to under paragraph (2) are performed and used in  
23 the most efficient and effective manner practicable;

24 (4) coordinate the efforts of the Federal Gov-  
25 ernment and the State and local governments of

1 Louisiana in the recovery from Hurricane Katrina in  
 2 Louisiana; and

3 (5) after consultation with the relevant head of  
 4 an agency, have the authority to—

5 (A) if necessary to ensure streamlined  
 6 Federal action and avoid unnecessary bureau-  
 7 cratic delays in long-term recovery efforts, di-  
 8 rect the head of an agency to exercise any ad-  
 9 ministrative waiver authority of that agency re-  
 10 lating to a requirement of Federal law, includ-  
 11 ing any waiver authority under section 301 of  
 12 the Robert T. Stafford Disaster Relief and  
 13 Emergency Assistance Act (42 U.S.C. 5141);  
 14 and

15 (B) extend any such waiver for any period  
 16 until the termination of the Office.

17 (b) CHAIRPERSON OF THE INTERAGENCY WORKING  
 18 GROUP.—

19 (1) ESTABLISHMENT.—There is established the  
 20 Louisiana Katrina Interagency Working Group (in  
 21 this subsection referred to as the “Working  
 22 Group”). The Administrator shall be the Chair-  
 23 person of the Working Group.

1           (2) FUNCTIONS.—The Working Group shall co-  
2           ordinate with the Administrator to carry out this  
3           Act.

4           (3) MEMBERS.—The Working Group shall in-  
5           clude—

6                   (A) the Secretary of Housing and Urban  
7           Development;

8                   (B) the Secretary of Commerce;

9                   (C) the Secretary of Education;

10                  (D) the Secretary of Labor;

11                  (E) the Secretary of Agriculture;

12                  (F) the Administrator of the Small Busi-  
13           ness Administration;

14                  (G) the Director of the Environmental  
15           Protection Agency; and

16                  (H) any other head of an agency as deter-  
17           mined by the President.

18           (4) TERMINATION.—The Working Group shall  
19           terminate on the date of the termination of the Of-  
20           fice.

21   **SEC. 5. ADMINISTRATIVE AND SUPPORT SERVICES.**

22           The President shall provide administrative and sup-  
23           port services (including personnel) for the Office.

1 **SEC. 6. LOUISIANA KATRINA ADVISORY BOARD.**

2 (a) ESTABLISHMENT.—There is established the Lou-  
3 isiana Katrina Advisory Board (in this section referred to  
4 as the “Board”).

5 (b) MEMBERSHIP.—The Board shall be comprised of  
6 6 members, none of whom shall be an elected official, and  
7 of whom—

8 (1) 2 shall be appointed by the President;

9 (2) 2 shall be appointed by the Governor of the  
10 State of Louisiana;

11 (3) 1 shall be appointed by the mayor of the  
12 city of New Orleans; and

13 (4) 2 shall be appointed by a majority of the  
14 parish presidents of Jefferson, Plaquemines, St.  
15 Bernard, St. Tammany, and Washington Parishes,  
16 Louisiana.

17 (c) DUTIES.—The Board shall provide advice and  
18 recommendations to the Administrator to carry out the  
19 purposes of this Act.

20 (d) CHAIRPERSON.—The Administrator shall des-  
21 ignate 1 member as Chairperson of the Board.

22 (e) POWERS OF THE BOARD.—

23 (1) HEARINGS.—The Board may hold such  
24 hearings, sit and act at such times and places, take  
25 such testimony, and receive such evidence as the  
26 Board considers advisable to carry out this section.

1           (2) INFORMATION FROM FEDERAL AGENCIES.—

2           The Board may secure directly from any Federal de-  
3           partment or agency such information as the Board  
4           considers necessary to carry out this section. Upon  
5           request of the Chairperson of the Board, the head  
6           of such department or agency shall furnish such in-  
7           formation to the Board.

8           (3) POSTAL SERVICES.—The Board may use  
9           the United States mails in the same manner and  
10          under the same conditions as other departments and  
11          agencies of the Federal Government.

12          (4) GIFTS.—The Board may accept, use, and  
13          dispose of gifts or donations of services or property.

14          (f) BOARD PERSONNEL MATTERS.—

15          (1) COMPENSATION OF MEMBERS.—Each mem-  
16          ber of the Board who is not an officer or employee  
17          of the Federal Government shall be compensated at  
18          a rate equal to the daily equivalent of the annual  
19          rate of basic pay prescribed for level IV of the Exec-  
20          utive Schedule under section 5315 of title 5, United  
21          States Code, for each day (including travel time)  
22          during which such member is engaged in the per-  
23          formance of the duties of the Board. All members of  
24          the Board who are officers or employees of the  
25          United States shall serve without compensation in

1 addition to that received for their services as officers  
2 or employees of the United States.

3 (2) TRAVEL EXPENSES.—The members of the  
4 Board shall be allowed travel expenses, including per  
5 diem in lieu of subsistence, at rates authorized for  
6 employees of agencies under subchapter I of chapter  
7 57 of title 5, United States Code, while away from  
8 their homes or regular places of business in the per-  
9 formance of services for the Board.

10 (3) STAFF.—

11 (A) IN GENERAL.—The Chairperson of the  
12 Board may, without regard to the civil service  
13 laws and regulations, appoint and terminate an  
14 executive director and such other additional  
15 personnel as may be necessary to enable the  
16 Board to perform its duties. The employment of  
17 an executive director shall be subject to con-  
18 firmation by the Board.

19 (B) COMPENSATION.—The Chairperson of  
20 the Board may fix the compensation of the ex-  
21 ecutive director and other personnel without re-  
22 gard to chapter 51 and subchapter III of chap-  
23 ter 53 of title 5, United States Code, relating  
24 to classification of positions and General Sched-  
25 ule pay rates, except that the rate of pay for



the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(C) PERSONNEL AS FEDERAL EMPLOYEES.—

(i) IN GENERAL.—The executive director and any personnel of the Board who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(ii) MEMBERS OF BOARD.—Subparagraph (A) shall not be construed to apply to members of the Board.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—

Any Federal Government employee may be detailed to the Board without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTER-

MITTENT SERVICES.—The Chairperson of the Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code,

1 at rates for individuals which do not exceed the daily  
2 equivalent of the annual rate of basic pay prescribed  
3 for level V of the Executive Schedule under section  
4 5316 of such title.

5 (g) TERMINATION OF THE BOARD.—The Board shall  
6 terminate on the date of the termination of the Office of  
7 the Louisiana Katrina Recovery Administrator.

8 (h) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated such sums as necessary  
10 to the Board to carry out this Act.

11 **SEC. 7. DISAPPROVAL RESOLUTIONS.**

12 (a) IN GENERAL.—Notwithstanding any other provi-  
13 sion of this Act, if Congress enacts a joint resolution as  
14 provided under this section—

15 (1) a waiver under section 4(a)(5) shall not  
16 take effect or cease to be in effect, as the case may  
17 be; or

18 (2) notwithstanding section 10(b), the Office  
19 shall terminate.

20 (b) CONTENTS OF RESOLUTION.—For the purpose of  
21 subsection (a), the term “joint resolution” means a joint  
22 resolution, the matter after the resolving clause of which  
23 is only 1 of the following:

24 “That Congress disapproves the waiver extension  
25 under section 4(a)(5) of the Louisiana Katrina Recovery

1 Act of 2005 relating to \_\_\_\_\_ (the blank space  
2 being appropriately filled in).”.

3 “The Congress disapproves the extension of termi-  
4 nation under section 10(b) of the Louisiana Katrina Re-  
5 covery Act of 2005, of which the President submitted no-  
6 tice to Congress on \_\_\_\_\_ (the blank space being  
7 filled in by the appropriate date).”.

8 (c) REFERRAL TO COMMITTEE.—A resolution de-  
9 scribed in subsection (b) introduced in the House of Rep-  
10 resentatives shall be referred to the Committee on Home-  
11 land Security of the House of Representatives. A resolu-  
12 tion described in subsection (b) introduced in the Senate  
13 shall be referred to the Committee on Homeland Security  
14 and Governmental Affairs of the Senate. Such a resolution  
15 may not be reported before the 8th day after its introduc-  
16 tion.

17 (d) DISCHARGE OF COMMITTEE.—If the committee  
18 to which is referred a resolution described in subsection  
19 (b) has not reported such resolution (or an identical reso-  
20 lution) at the end of 15 calendar days after its introduc-  
21 tion, such committee shall be deemed to be discharged  
22 from further consideration of such resolution and such  
23 resolution shall be placed on the appropriate calendar of  
24 the House involved.

25 (e) FLOOR CONSIDERATION.—

1           (1) IN GENERAL.—When the committee to  
2       which a resolution is referred has reported, or has  
3       been deemed to be discharged (under subsection (d))  
4       from further consideration of, a resolution described  
5       in subsection (b), it is at any time thereafter in  
6       order (even though a previous motion to the same  
7       effect has been disagreed to) for any Member of the  
8       respective House to move to proceed to the consider-  
9       ation of the resolution, and all points of order  
10      against the resolution (and against consideration of  
11      the resolution) are waived. The motion is highly  
12      privileged in the House of Representatives and is  
13      privileged in the Senate and is not debatable. The  
14      motion is not subject to amendment, or to a motion  
15      to postpone, or to a motion to proceed to the consid-  
16      eration of other business. A motion to reconsider the  
17      vote by which the motion is agreed to or disagreed  
18      to shall not be in order. If a motion to proceed to  
19      the consideration of the resolution is agreed to, the  
20      resolution shall remain the unfinished business of  
21      the respective House until disposed of.

22           (2) DEBATE.—Debate on the resolution, and on  
23      all debatable motions and appeals in connection  
24      therewith, shall be limited to not more than 10  
25      hours, which shall be divided equally between those

1 favoring and those opposing the resolution. A motion  
 2 further to limit debate is in order and not debatable.  
 3 An amendment to, or a motion to postpone, or a mo-  
 4 tion to proceed to the consideration of other busi-  
 5 ness, or a motion to recommit the resolution is not  
 6 in order. A motion to reconsider the vote by which  
 7 the resolution is agreed to or disagreed to is not in  
 8 order.

9 (3) VOTE ON FINAL PASSAGE.—Immediately  
 10 following the conclusion of the debate on a resolu-  
 11 tion described in subsection (b), and a single  
 12 quorum call at the conclusion of the debate if re-  
 13 quested in accordance with the rules of the appro-  
 14 priate House, the vote on final passage of the resolu-  
 15 tion shall occur.

16 (4) RULINGS OF THE CHAIR ON PROCEDURE.—  
 17 Appeals from the decisions of the Chair relating to  
 18 the application of the rules of the Senate or the  
 19 House of Representatives, as the case may be, to the  
 20 procedure relating to a resolution described in sub-  
 21 section (b) shall be decided without debate.

22 (f) COORDINATION WITH ACTION BY OTHER  
 23 HOUSE.—If, before the passage by one House of a resolu-  
 24 tion of that House described in subsection (b), that House  
 25 receives from the other House a resolution described in

1 subsection (b) relating to the same matter, then the fol-  
 2 lowing procedures shall apply:

3 (1) The resolution of the other House shall not  
 4 be referred to a committee.

5 (2) With respect to a resolution described in  
 6 subsection (b) of the House receiving the resolu-  
 7 tion—

8 (A) the procedure in that House shall be  
 9 the same as if no resolution had been received  
 10 from the other House; but

11 (B) the vote on final passage shall be on  
 12 the resolution of the other House.

13 (g) RULES OF HOUSE OF REPRESENTATIVES AND  
 14 SENATE.—This subsection is enacted by Congress—

15 (1) as an exercise of the rulemaking power of  
 16 the Senate and House of Representatives, respec-  
 17 tively, and as such it is deemed a part of the rules  
 18 of each House, respectively, but applicable only with  
 19 respect to the procedure to be followed in that  
 20 House in the case of a resolution described in sub-  
 21 section (b), and it supersedes other rules only to the  
 22 extent that it is inconsistent with such rules; and

23 (2) with full recognition of the constitutional  
 24 right of either House to change the rules (so far as  
 25 relating to the procedure of that House) at any time,

1 in the same manner, and to the same extent as in  
2 the case of any other rule of that House.

3 **SEC. 8. SPECIAL INSPECTOR GENERAL FOR RELIEF AND**  
4 **RECONSTRUCTION.**

5 (a) REDESIGNATION.—(1) Section 3001 of the Emer-  
6 gency Supplemental Appropriations Act for Defense and  
7 for the Reconstruction of Iraq and Afghanistan, 2004  
8 (Public Law 108–106; 117 Stat. 1234; 5 U.S.C. App. 3  
9 section 8G note) is amended—

10 (A) in subsection (b), by striking “Office of the  
11 Special Inspector General for Iraq Reconstruction”  
12 and inserting “Office of the Special Inspector Gen-  
13 eral for Relief and Reconstruction”; and

14 (B) in subsection (c)(1), by striking all after  
15 “The head of the Office of the Special Inspector  
16 General” and inserting “for Relief and Reconstruc-  
17 tion is the Special Inspector General for Relief and  
18 Reconstruction (in this section referred to as the ‘In-  
19 spector General’). If a vacancy occurs after the serv-  
20 ice of the individual as provided under section 8(b)  
21 of the Louisiana Katrina Recovery Act of 2005, the  
22 Inspector General shall be appointed by the Presi-  
23 dent, by and with the advice and consent of the Sen-  
24 ate.”.

1       (2)(A) The heading of such section is amended to  
2 read as follows:

3       **“SEC. 3001. SPECIAL INSPECTOR GENERAL FOR RELIEF**  
4                   **AND RECONSTRUCTION.”.**

5       (B) The heading of title III of such Act is amended  
6 to read as follows:

7       **“TITLE III—SPECIAL INSPECTOR**  
8           **GENERAL FOR RELIEF AND**  
9           **RECONSTRUCTION”.**

10       (b) CONTINUATION IN OFFICE.—The individual serv-  
11 ing as the Special Inspector General for Iraq Reconstruc-  
12 tion as of the date of the enactment of this Act may con-  
13 tinue to serve as the Special Inspector General for Relief  
14 and Reconstruction (with all additional duties and respon-  
15 sibilities as provided under this Act) after that date with-  
16 out reappointment under paragraph (1) of section 3001(c)  
17 of the Emergency Supplemental Appropriations Act for  
18 Defense and for the Reconstruction of Iraq and Afghani-  
19 stan, 2004, but remaining subject to removal as specified  
20 in paragraph (4) of that section.

21       (c) PURPOSES.—Subsection (a) of such section is  
22 amended—

23           (1) in paragraph (1), by inserting “and for  
24 Hurricane Katrina recovery activities” after “Iraq  
25 Relief and Reconstruction Fund”; and



1           (2) in paragraph (3), by striking “the Secretary  
 2       of State and the Secretary of Defense” and inserting  
 3       “the Secretary of State, the Secretary of Homeland  
 4       Security, the Secretary of Defense, and the heads of  
 5       other Federal agencies, as appropriate,”.

6       (d) RESPONSIBILITIES OF ASSISTANT INSPECTOR  
 7       GENERAL FOR AUDITING.—Subsection (d) of such section  
 8       is amended to read as follows:

9       “(d) ASSISTANT INSPECTORS GENERAL.—(1) The  
 10      Inspector General shall, in accordance with applicable laws  
 11      and regulations governing the civil service—

12           “(A) appoint 1 or more Assistant Inspectors  
 13      General for Auditing who shall have the responsi-  
 14      bility for supervising the performance of auditing ac-  
 15      tivities relating to—

16                   “(i) programs and operations supported by  
 17                   the Iraq Relief and Reconstruction Fund; and

18                   “(ii) programs and operations relating to  
 19                   Hurricane Katrina recovery activities; and

20           “(B) appoint 1 or more Assistant Inspectors  
 21      General for Investigations who shall have the re-  
 22      sponsibility for supervising the performance of inves-  
 23      tigative activities relating to such programs and op-  
 24      erations.”.

1 (e) SUPERVISION.—Such section is further amend-  
2 ed—

3 (1) in subsection (e)—

4 (A) by striking paragraph (1) and insert-  
5 ing the following:

6 “(1)(A) Except as provided in paragraph (2), the In-  
7 spector General shall report directly to, and be under the  
8 general supervision of, the Secretary of State and the Sec-  
9 retary of Defense with respect to activities relating to the  
10 Iraq Relief and Reconstruction Fund.

11 “(B) Except as provided in paragraph (2), the In-  
12 spector General shall report directly to, and be under the  
13 general supervision of, the Director of the Office of Man-  
14 agement and Budget and the Secretary of Homeland Se-  
15 curity with respect to activities relating to Hurricane  
16 Katrina recovery activities.”; and

17 (B) in paragraph (2)—

18 (i) by striking “Department of De-  
19 fense, the Department of State, or the  
20 United States Agency for International  
21 Development” and inserting “Federal Gov-  
22 ernment”; and

23 (ii) by inserting “and Hurricane  
24 Katrina recovery activities” after “Iraq  
25 Relief and Reconstruction Fund”;

1 (2) in subsection (f)—

2 (A) in paragraph (1)—

3 (i) by inserting “(A)” after “(1)”;

4 (ii) by redesignating subparagraphs  
5 (A) through (E) as clauses (i) through (v),  
6 respectively; and

7 (iii) by adding at the end the fol-  
8 lowing:

9 “(B) It shall be the duty of the Inspector General  
10 to conduct and coordinate audits and investigations of the  
11 treatment, handling, and expenditure of amounts appro-  
12 priated or otherwise made available for Hurricane Katrina  
13 recovery by the Federal Government, and of the programs,  
14 operations, and contracts carried out utilizing such funds,  
15 including—

16 “(i) the oversight and accounting of the obliga-  
17 tion and expenditure of such funds;

18 “(ii) the monitoring and review of reconstruc-  
19 tion activities funded by such funds;

20 “(iii) the monitoring and review of contracts  
21 funded by such funds;

22 “(iv) the monitoring and review of the transfer  
23 of such funds and associated information between  
24 and among departments, agencies, and entities of

1 the United States, State and local governments, and  
 2 private and nongovernmental entities;

3 “(v) the maintenance of records on the use of  
 4 such funds to facilitate future audits and investiga-  
 5 tions of the use of such funds; and

6 “(vi) the monitoring of Federal grants and ben-  
 7 efit programs.”; and

8 (B) in paragraph (4)—

9 (i) by inserting “(A)” after “(4)”;

10 (ii) by striking all after “cooperation  
 11 of” and inserting “the inspectors general  
 12 and auditing entities of all other Federal  
 13 departments and agencies.”; and

14 (iii) by adding at the end the fol-  
 15 lowing:

16 “(B)(i) The Inspector General shall ensure, to the  
 17 greatest extent possible, that the activities of the Inspector  
 18 General do not duplicate audits and investigations of in-  
 19 spectors general and other auditors of Federal depart-  
 20 ments and agencies, and State and local government enti-  
 21 ties.

22 “(ii) The Inspector General shall notify the inspector  
 23 general of the relevant agency or department before initi-  
 24 ating an audit or investigation relating to Hurricane  
 25 Katrina activities.

1       “(iii) Nothing in this section shall be construed to  
 2 limit the statutory authority of inspectors general to con-  
 3 duct audits or investigations relating to Hurricane  
 4 Katrina activities.”;

5           (3) in subsection (h)(4)(B), by striking “Sec-  
 6 retary of State or Secretary of Defense” and insert-  
 7 ing “Director of the Office of Management and  
 8 Budget and heads of relevant agencies”; and

9           (4) in subsection (h)(5)—

10               (A) by inserting “(A)” after “(5)”;

11               (B) by inserting “for activities relating to  
 12 Iraq” after “operation of such offices”; and

13               (C) by adding at the end the following:

14       “(B) The Secretary of Homeland Security shall pro-  
 15 vide the Inspector General with appropriate and adequate  
 16 office space, together with such equipment, office supplies,  
 17 and communications facilities and services as may be nec-  
 18 essary for the operations of such offices for activities relat-  
 19 ing to Hurricane Katrina, and shall provide necessary  
 20 maintenance services for such offices and equipment and  
 21 facilities located therein.”.

22       (f) REPORTS RELATING TO THE IRAQI RELIEF AND  
 23 RECONSTRUCTION.—Subsection (i) of such section is  
 24 amended by adding at the end the following:

1 “(7)(A) The Inspector General shall also submit each  
2 report under this subsection to the Secretary of State and  
3 the Secretary of Defense.

4 “(B)(i) Not later than 30 days after receipt of a re-  
5 port under subparagraph (A), the Secretary of State and  
6 the Secretary of Defense may submit to the appropriate  
7 committees of Congress any comments on the matters cov-  
8 ered by the report as the Secretary of State or the Sec-  
9 retary of Defense, as the case may be, considers appro-  
10 priate.

11 “(ii) A report under this subparagraph may include  
12 a classified annex if the Secretary of State or the Sec-  
13 retary of Defense, as the case may be, considers it nec-  
14 essary.”.

15 (g) REPORTS RELATING TO HURRICANE KATRINA  
16 RELIEF AND RECONSTRUCTION.—Subsection (j) of such  
17 section is amended to read as follows:

18 “(j) REPORTS RELATING TO HURRICANE KATRINA  
19 RELIEF AND RECONSTRUCTION.—(1)(A) At the end of  
20 each calendar quarter, beginning with the first full quarter  
21 after the date of enactment of the Louisiana Katrina Re-  
22 covery Act of 2005, the Inspector General shall submit  
23 to the appropriate committees of Congress a report sum-  
24 marizing for the period of that quarter the activities of  
25 the Inspector General and of the Hurricane Katrina recov-

1 ery activities of the Federal Government. Each report  
2 shall include, for the period covered by such report, a de-  
3 tailed statement of all obligations, expenditures, and reve-  
4 nues associated with recovery activities for Hurricane  
5 Katrina, including the following:

6           “(i) Obligations and expenditures of appro-  
7 priated funds.

8           “(ii) Accounting of the costs incurred to date  
9 for Hurricane Katrina recovery, together with the  
10 estimate of the Federal Government’s costs to com-  
11 plete each project and each program.

12           “(iii) Operating expenses of any Federal de-  
13 partments, agencies, or entities receiving appro-  
14 priated funds for Hurricane Katrina recovery activi-  
15 ties.

16           “(iv) In the case of any contract described in  
17 paragraph (2)—

18                   “(I) the amount of the contract or other  
19 agreement;

20                   “(II) a brief discussion of the scope of the  
21 contract or other agreement;

22                   “(III) a discussion of how the contracting  
23 department or agency identified, and solicited  
24 offers from, potential contractors to perform  
25 the contract, together with a list of the poten-

1            tial contractors that were issued solicitations  
2            for the offers; and

3            “(IV) the justification and approval docu-  
4            ments on which was based the determination to  
5            use procedures other than procedures that pro-  
6            vide for full and open competition.

7            “(B) The first quarterly report required to be sub-  
8            mitted under subparagraph (A) shall also summarize ac-  
9            tivities for Hurricane Katrina recovery undertaken before  
10          that quarter.

11          “(2) A contract described in this paragraph is any  
12          major contract or other agreement that is entered into by  
13          any department or agency of the United States Govern-  
14          ment that involves the use of amounts appropriated or  
15          otherwise made available for Hurricane Katrina recovery  
16          with any public or private sector entity.

17          “(3) Not later than 45 days after the date of enact-  
18          ment of the Louisiana Katrina Recovery Act of 2005, the  
19          Inspector General shall submit to the appropriate commit-  
20          tees of Congress an interim report on the status of Hurri-  
21          cane Katrina recovery activities of the Federal Govern-  
22          ment. The interim report shall include the following:

23                “(A) The operational activities of the Office of  
24                the Special Inspector General for Relief and Recon-  
25                struction.



1           “(B) The status of auditors and investigators  
2       deployed to Louisiana.

3           “(C) A strategic plan for oversight, including  
4       audits of no bid contracts.

5           “(D) Vulnerabilities identified and immediate  
6       actions to address such vulnerabilities.

7           “(E) Measures taken to coordinate interagency  
8       oversight elements.

9           “(4) Not later than March 31, 2006, and semiannu-  
10      ally thereafter, the Inspector General shall submit to the  
11      appropriate committees of Congress a report meeting the  
12      requirements of section 5 of the Inspector General Act of  
13      1978 (5 U.S.C. App.).

14          “(5) The Inspector General shall publish each report  
15      under this subsection on an accessible Federal Govern-  
16      ment Internet Web site.

17          “(6) Nothing in this subsection shall be construed to  
18      authorize the public disclosure of information that is—

19           “(A) specifically prohibited from disclosure by  
20      any other provision of law;

21           “(B) specifically required by Executive order to  
22      be protected from disclosure in the interest of na-  
23      tional defense or national security or in the conduct  
24      of foreign affairs; or

1           “(C) a part of an ongoing criminal investiga-  
2           tion.

3           “(7)(A) The Inspector General shall also submit each  
4           report under this subsection to the Director of the Office  
5           of Management and Budget, Secretary of Homeland Secu-  
6           rity, or heads of other appropriate agencies.

7           “(B) Not later than 30 days after receipt of a report  
8           under paragraph (1), the Director of the Office of Man-  
9           agement and Budget and the heads of other appropriate  
10          agencies may submit to the appropriate committees of  
11          Congress any comments on the matters covered by the re-  
12          port as the Director of the Office of Management and  
13          Budget and heads of relevant agencies consider appro-  
14          priate.

15          “(8) The Inspector General shall respond to any rea-  
16          sonable summons to appear and testify before any duly  
17          constituted committee of Congress.”.

18          (h) TRANSPARENCY.—Subsection (k) of such section  
19          is amended—

20                 (1) in paragraph (1), by striking “subsection  
21                 (i), the Secretary of State and the Secretary of De-  
22                 fense shall jointly” and inserting “subsection (i) or  
23                 (j), the Director of the Office of Management and  
24                 Budget and the heads of the relevant departments  
25                 shall”; and

1           (2) in paragraph (2), by striking “subsection  
 2           (j)(2) of comments on a report under subsection (i),  
 3           the Secretary of State and the Secretary of Defense  
 4           shall jointly” and inserting “subsection (i)(7)(B) or  
 5           (j)(7)(B) of comments on a report under subsection  
 6           (i) or (j), the Director of the Office of Management  
 7           and Budget and the heads of relevant departments  
 8           shall”.

9           (i) WAIVER.—Subsection (l) of such section is  
 10          amended—

11           (1) in paragraph (1), by inserting “or para-  
 12           graph (1) or (3) of subsection (j)” after “subsection  
 13           (i)”;

14           (2) in paragraph (2), by inserting “or para-  
 15           graph (1) or (3) of subsection (j)” after “subsection  
 16           (i)” each place that term occurs.

17           (j) APPROPRIATE COMMITTEES OF CONGRESS.—  
 18          Subsection (m) of such section is amended—

19           (1) in paragraph (1), by striking “and Foreign  
 20           Relations” and inserting “Foreign Relations, and  
 21           Homeland Security and Governmental Affairs”;

22           (2) in paragraph (2), by striking “and Inter-  
 23           national Relations” and inserting “International Re-  
 24           lations, and Homeland Security”.

1 (k) FUNDING.—Subsection (n) of such section is  
2 amended by adding at the end the following:

3 “(3) There are authorized to be appropriated to the  
4 Office of the Special Inspector General for Relief and Re-  
5 construction to carry out the responsibilities of the Special  
6 Inspector General relating to Hurricane Katrina recovery  
7 such sums as necessary for fiscal year 2006.”.

8 (l) APPLICATION TO LOUISIANA AND TERMI-  
9 NATION.—Such section is amended by striking subsection  
10 (o) and inserting the following:

11 “(o) APPLICATION TO LOUISIANA.—Any reference in  
12 this section to Hurricane Katrina recovery shall only apply  
13 with respect to Hurricane Katrina recovery in the State  
14 of Louisiana.

15 “(p) TERMINATION.—(1)(A) The responsibilities of  
16 the Office of the Special Inspector General for Relief and  
17 Reconstruction with respect to the Iraq Relief and Recon-  
18 struction Fund shall terminate on the date that is 10  
19 months after the date, as determined by the Secretary of  
20 State and Secretary of Defense, on which 80 percent of  
21 the amounts appropriated or otherwise made available to  
22 the Iraq Relief and Reconstruction Fund by chapter 2 of  
23 title II of this Act have been obligated.

24 “(B) The responsibilities of the Office of the Special  
25 Inspector General for Relief and Reconstruction with re-

1 spect to Hurricane Katrina recovery activities shall termi-  
 2 nate 2 years after the date of enactment of the Louisiana  
 3 Katrina Recovery Act of 2005.

4 “(2) The Office of the Special Inspector General for  
 5 Relief and Reconstruction shall terminate on the later date  
 6 occurring under subparagraph (A) or (B) of paragraph  
 7 (1).”.

8 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated such sums  
 10 as necessary to carry out this Act.

11 **SEC. 10. TERMINATION OF OFFICE.**

12 (a) IN GENERAL.—The Office and position of Admin-  
 13 istrator shall terminate 2 years after the date of enact-  
 14 ment of this Act.

15 (b) EXTENSION OF TERMINATION.—

16 (1) IN GENERAL.—The President may extend  
 17 the date of termination under subsection (a) in ac-  
 18 cordance with this subsection.

19 (2) CONDITIONS OF EXTENSION.—Any exten-  
 20 sion of termination under this subsection—

21 (A) shall not be effective for any period oc-  
 22 ccurring 5 years after the date of enactment of  
 23 this Act;

1           (B) may not apply retroactively if the Of-  
2           fice and the position of Director have termi-  
3           nated under this section;

4           (C) shall not be effective unless 60 days  
5           before the date on which a termination would  
6           occur the President submits a notice to Con-  
7           gress of a determination to extend the termi-  
8           nation; and

9           (D) subject to subparagraph (A), shall be  
10          for a 6-month period.

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